

REMARKS

The application has been amended and is believed to be in condition for allowance.

Claim 18 was rejected under Section 112, 1st paragraph as containing subject matter not described in the specification, i.e., the recitations concerning support of the battery.

Claim 18 has been amended.

With reference to the two drawing figures, there is illustrated box 10 with two side walls (12, 14) extending parallel and defining between themselves a housing for receiving batteries. See lines 9-14 of specification page 3.

Further, the side walls (12, 14) are comprised of an assembly of stacked modules (16). See Figure 2 illustrating that each module comprises a pair of wall elements (18, 20) mounted opposite each other.

See that specification page 3 discloses "With reference also to Figure 2, the side walls 12 and 14 are made up of an assembly of elementary interchangeable stacked modules, such as 16. The number of modules used depends on the number of batteries to be carried." It is clear that the modules carry the batteries.

Also, page 3 further discloses: "Each wall element is in the form of a U section whose arms 22 and 24 point inwards into the housing and permit stacking of the wall elements on top of each other while its base 26 is designed to form after

assembly, and jointly with the other wall elements of the stack, the side wall proper of the box 10." and "More specifically, in the assembled condition, the lower arms 24 of the opposing wall elements 18 and 20 together form a support designed to receive one or more rows of electric storage batteries, these batteries being connected in series or in parallel."

Claim 18, as amended, recites at least two side walls (12, 14) extending parallel and defining between themselves a housing for receiving the batteries, the side walls (12, 14) comprised of an assembly of stacked modules (16).

The claim recites each stacked module comprising a pair of wall elements (18, 20) mounted opposite each other, each wall element being in the form of a U section with arms (22, 24) pointing inwards into the housing toward coplanar arms of another wall element, the arms of each wall element being spaced apart, by an intermediate separating air space, from the coplanar arms of the another wall element (Figure 1). The lower arm of the each wall element and the lower arm of the another wall element together forming an electric storage batteries support so that the lower arms of two wall elements support each battery.

The claim recites each battery being supported on a first edge by the lower arm of a first wall element and supported on a second edge by the lower arm of a second wall element.

Withdrawal of the rejection is solicited.

Claim 19 has also been amended in view of the formal criticisms of the Official Action.

The amendments noted above are believed to cure the Section 112, 2nd paragraph rejection. Withdrawal of this rejection is therefore also solicited.

Claims 9-16 were rejected as anticipated by SCHAEFER 2,916,161.

The amended claims are not anticipated, at least because SCHAEFER does not disclose a pair of wall elements with two horizontally opposed wall elements (18, 20) together forming a floor support for any battery stored therebetween, each of the two horizontally opposed wall elements forming a floor support for one edge of each battery stored therebetween, wherein the two horizontally opposed wall elements are separated from each other by an intervening air space. See Figures 1-2 of the application. The reference does not teach this structure, due to at least the single floor element 6.

See also that there is no disclosure of two horizontally opposed wall elements that support each battery by opposite edges of the battery with an area of the battery between the opposite edges being exposed to the intervening air space.

Withdrawal of this rejection is therefore solicited.

Claims 9-12 and 16 were rejected as anticipated by STONE 5,981,101.

As with SCHAEFER, STONE discloses a full bottom base that supports the batteries. There are not inwardly bent edge section that support edges of each battery. Any folded edge sections protrude out of the tray and are not turned to the inner space of the tray.

Claim 9 has been amended similar to claims 18-19 so as to recite two horizontally opposed wall elements (18, 20) together forming a floor support for a battery stored therebetween, with each of the two horizontally opposed wall elements forming a floor support for one edge of each battery.

The claim now also recites that the two horizontally opposed wall elements are separated from each other by an intervening air space so that the two horizontally opposed wall elements support each battery by opposite edges of the battery with an area of the battery between the opposite edges being unsupported and exposed to the intervening air space.

STONE does not teach this structure. Withdrawal of this rejection is therefore solicited.

Claims 18 and 21-22 were rejected as anticipated by HARTLEY 5,143,215.

As with the other applied references, there is no disclosure of battery edges being supported by inwardly turned edges of the wall sections.

HARTLEY does not disclose connectedly attached stacked modules comprising a pair of wall elements mounted opposite each other.

HARTLEY does not disclose each wall element being in the form of a U section with arms (22, 24) pointing inwards into the housing toward coplanar arms of another wall element, the arms of each wall element being spaced apart, by an intermediate separating air space, from the coplanar arms of the another wall element, with the lower arm of the each wall element and the lower arm of the another wall element together forming an electric storage battery support.

HARTLEY does not disclose plural batteries, each battery supported on a battery base first edge by the lower arm of a first wall element and supported on a battery base second edge, parallel to the first edge, by the lower arm of a second wall element so that the lower arms of two wall elements support each battery by the first and second edges and an area of the battery base between the first and second edges being exposed to the separating air space.

Accordingly, withdrawal of this rejection is solicited.

Claim 19 was rejected as anticipated by MILLER 5,140,744.

Reference is made to Figures 2-3 which shows each rack divided into compartments, each compartment having a full bottom on which the battery rests. Thus, there is no teaching of a

divided base with separated horizontal edges that support corresponding edges of the battery with the remainder of the battery base being unsupported and exposed to an intermediate air space.

Accordingly, withdrawal of this rejection is also solicited.

The dependent claims are believed allowable at least for depending from an allowable claim.

Applicants thus believe that the present application is in condition for allowance and an early indication of the same is respectfully requested.

Should there be any issue that arises that prevents the case from being in condition for allowance, it is requested that the undersigned attorney be contacted by telephone to reach agreement and place the case in condition for allowance.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Roland E. Long, Jr., Reg. No. 41,949
Attorney for Applicants
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573

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